

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 994, 52 & 984**  
**102ND GENERAL ASSEMBLY**

2271H.04C

DANA RADEMAN MILLER, Chief Clerk

---

**AN ACT**

To repeal sections 455.010, 455.035, 455.513, 475.050, 476.055, 485.060, 494.455, 509.520, 575.095, and 600.042, RSMo, and to enact in lieu thereof nineteen new sections relating to judicial proceedings, with penalty provisions.

---

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 455.010, 455.035, 455.513, 475.050, 476.055, 485.060, 494.455, 509.520, 575.095, and 600.042, RSMo, are repealed and nineteen new sections enacted in lieu thereof, to be known as sections 455.010, 455.035, 455.513, 475.050, 476.055, 485.060, 494.455, 509.520, 510.500, 510.503, 510.506, 510.509, 510.512, 510.515, 510.518, 510.521, 544.453, 575.095, and 600.042, to read as follows:

455.010. As used in this chapter, unless the context clearly indicates otherwise, the following terms shall mean:

(1) "Abuse", includes but is not limited to the occurrence of any of the following acts, attempts or threats against a person who may be protected pursuant to this chapter, except abuse shall not include abuse inflicted on a child by accidental means by an adult household member or discipline of a child, including spanking, in a reasonable manner:

(a) "Abusing a pet", purposely or knowingly causing, attempting to cause, or threatening to cause physical injury to a pet with the intent to control, punish, intimidate, or distress the petitioner;

(b) "Assault", purposely or knowingly placing or attempting to place another in fear of physical harm;

(c) "Battery", purposely or knowingly causing physical harm to another with or without a deadly weapon;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 (d) "Coercion", compelling another by force or threat of force to engage in conduct  
15 from which the latter has a right to abstain or to abstain from conduct in which the person has  
16 a right to engage;

17 (e) "Harassment", engaging in a purposeful or knowing course of conduct involving  
18 more than one incident that alarms or causes distress to an adult or child and serves no  
19 legitimate purpose. The course of conduct must be such as would cause a reasonable adult or  
20 child to suffer substantial emotional distress and must actually cause substantial emotional  
21 distress to the petitioner or child. Such conduct might include, but is not limited to:

22 a. Following another about in a public place or places;

23 b. Peering in the window or lingering outside the residence of another; but does not  
24 include constitutionally protected activity;

25 (f) "Sexual assault", causing or attempting to cause another to engage involuntarily in  
26 any sexual act by force, threat of force, duress, or without that person's consent;

27 (g) "Unlawful imprisonment", holding, confining, detaining or abducting another  
28 person against that person's will;

29 (2) "Adult", any person [~~seventeen~~] **eighteen** years of age or older or otherwise  
30 emancipated;

31 (3) "Child", any person under [~~seventeen~~] **eighteen** years of age unless otherwise  
32 emancipated;

33 (4) "Court", the circuit or associate circuit judge or a family court commissioner;

34 (5) "Domestic violence", abuse or stalking committed by a family or household  
35 member, as such terms are defined in this section;

36 (6) "Ex parte order of protection", an order of protection issued by the court before  
37 the respondent has received notice of the petition or an opportunity to be heard on it;

38 (7) "Family" or "household member", spouses, former spouses, any person related by  
39 blood or marriage, persons who are presently residing together or have resided together in the  
40 past, any person who is or has been in a continuing social relationship of a romantic or  
41 intimate nature with the victim, and anyone who has a child in common regardless of whether  
42 they have been married or have resided together at any time;

43 (8) "Full order of protection", an order of protection issued after a hearing on the  
44 record where the respondent has received notice of the proceedings and has had an  
45 opportunity to be heard;

46 (9) "Order of protection", either an ex parte order of protection or a full order of  
47 protection;

48 (10) "Pending", exists or for which a hearing date has been set;

49 (11) "Pet", a living creature maintained by a household member for companionship  
50 and not for commercial purposes;

51 (12) "Petitioner", a family or household member who has been a victim of domestic  
52 violence, or any person who has been the victim of stalking or sexual assault, or a person  
53 filing on behalf of a child pursuant to section 455.503 who has filed a verified petition  
54 pursuant to the provisions of section 455.020 or section 455.505;

55 (13) "Respondent", the family or household member alleged to have committed an act  
56 of domestic violence, or person alleged to have committed an act of stalking or sexual assault,  
57 against whom a verified petition has been filed or a person served on behalf of a child  
58 pursuant to section 455.503;

59 (14) "Sexual assault", as defined under subdivision (1) of this section;

60 (15) "Stalking", is when any person purposely engages in an unwanted course of  
61 conduct that causes alarm to another person, or a person who resides together in the same  
62 household with the person seeking the order of protection when it is reasonable in that  
63 person's situation to have been alarmed by the conduct. As used in this subdivision:

64 (a) "Alarm", to cause fear of danger of physical harm; and

65 (b) "Course of conduct", two or more acts that serve no legitimate purpose including,  
66 but not limited to, acts in which the stalker directly, indirectly, or through a third party  
67 follows, monitors, observes, surveils, threatens, or communicates to a person by any action,  
68 method, or device.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to  
2 455.085 and for good cause shown in the petition, the court may immediately issue an ex  
3 parte order of protection. An immediate and present danger of domestic violence to the  
4 petitioner or the child on whose behalf the petition is filed shall constitute good cause for  
5 purposes of this section. An ex parte order of protection entered by the court shall take effect  
6 when entered and shall remain in effect until there is valid service of process and a hearing is  
7 held on the motion. The court shall deny the ex parte order and dismiss the petition if the  
8 petitioner is not authorized to seek relief pursuant to section 455.020.

9 2. Failure to serve an ex parte order of protection on the respondent shall not affect  
10 the validity or enforceability of such order. If the respondent is less than ~~seventeen~~ **eighteen**  
11 years of age, unless otherwise emancipated, service of process shall be made upon a custodial  
12 parent or guardian of the respondent, or upon a guardian ad litem appointed by the court,  
13 requiring that the person appear and bring the respondent before the court at the time and  
14 place stated.

15 3. If an ex parte order is entered and the respondent is less than ~~seventeen~~ **eighteen**  
16 years of age, the court shall transfer the case to juvenile court for a hearing on a full order of  
17 protection. The court shall appoint a guardian ad litem for any such respondent not  
18 represented by a parent or guardian.

455.513. 1. The court may immediately issue an ex parte order of protection upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that:

(1) No prior order regarding custody involving the respondent and the child is pending or has been made; or

(2) The respondent is less than ~~seventeen~~ **eighteen** years of age.

An immediate and present danger of domestic violence, including danger to the child's pet, stalking, or sexual assault to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. The court shall deny the ex parte order and dismiss the petition if the petitioner is not authorized to seek relief pursuant to section 455.505.

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than ~~seventeen~~ **eighteen** years of age, the court may issue an ex parte order and shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035.

475.050. 1. Before appointing any other eligible person as guardian of an incapacitated person, or conservator of a disabled person, the court shall consider the suitability of appointing any of the following persons, listed in the order of priority, who appear to be willing to serve:

(1) If the incapacitated or disabled person is, at the time of the hearing, able to make and communicate a reasonable choice, any eligible person nominated by the person;

(2) Any eligible person nominated in a durable power of attorney executed by the incapacitated or disabled person, or in an instrument in writing signed by the incapacitated or disabled person and by two witnesses who signed at the incapacitated or disabled person's request, before the inception of the person's incapacity or disability;

(3) The spouse, parents, adult children, adult brothers and sisters and other close adult relatives of the incapacitated or disabled person;

13           (4) Any other eligible person or, with respect to the estate only, any eligible  
14 organization or corporation, nominated in a duly probated will of such a spouse or relative.

15           2. The court shall not appoint an unrelated third party as a guardian or conservator  
16 unless there is no relative suitable and willing to serve or if the appointment of a relative or  
17 nominee is otherwise contrary to the best interests of the incapacitated or disabled person. If  
18 the incapacitated or disabled person is a minor under the care of the children's division and is  
19 entering adult guardianship or conservatorship, it shall be a rebuttable presumption that he or  
20 she has no relative suitable and willing to serve as guardian or conservator.

21           3. Except for good cause shown, the court shall make its appointment in accordance  
22 with the incapacitated or disabled person's most recent valid nomination of an eligible person  
23 qualified to serve as guardian of the person or conservator of the estate.

24           4. Except for those individuals specified in subdivisions (1) and (2) of this subsection,  
25 the court shall require all guardians and conservators who are seeking appointment and who  
26 have a fiduciary responsibility to a ward, an incapacitated person, or a disabled person to  
27 submit at their own expense to a background screening that shall include the disqualification  
28 lists of the departments of mental health, social services, and health and senior services; the  
29 abuse and neglect registries for adults and children; a Missouri criminal record review; and  
30 the sexual offender registry. Individuals seeking appointment as a conservator shall also  
31 submit, at their own expense, to a credit history investigation. The nominated guardian or  
32 conservator shall file the results of the reports with the court at least ten days prior to the  
33 appointment hearing date unless waived or modified by the court for good cause shown by an  
34 affidavit filed simultaneously with the petition for appointment or in the event the protected  
35 person requests an expedited hearing. The provisions of this subsection shall not apply to:

36           (1) Public administrators; or

37           (2) The ward's, incapacitated person's, or disabled person's spouse, parents, children  
38 who have reached eighteen years of age, [ø] siblings who have reached eighteen years of age,  
39 **or grandparents seeking guardianship or conservatorship of a minor grandchild, unless**  
40 **such background reports are requested by any other party to the proceeding, the**  
41 **guardian ad litem for the minor child, or otherwise ordered by the court on its own**  
42 **motion.**

43           5. **Any grandparent seeking guardianship or conservatorship of a minor**  
44 **grandchild shall not be subject to a home assessment unless the home assessment is**  
45 **requested by any other party to the proceeding, the guardian ad litem for the minor**  
46 **child, or otherwise ordered by the court on its own motion.**

47           6. Guardians certified by a national accrediting organization may file proof of  
48 certification in lieu of the requirements of subsections 4 and 6 of this section.

49       [6:] 7. An order appointing a guardian or conservator shall not be signed by the judge  
50 until such reports have been filed with the court and reviewed by the judge, who shall  
51 consider the reports in determining whether to appoint a guardian or conservator. Such  
52 reports, or lack thereof, shall be certified either by an affidavit or by obtaining a certified copy  
53 of the reports. No reports or national criminal history record check shall be required by the  
54 court upon the application of a petitioner for an emergency temporary guardianship or  
55 emergency temporary conservatorship. The court may waive the requirements of this  
56 subsection for good cause shown. If appointed, a guardian or conservator may petition the  
57 court for reimbursement of the reasonable expenses of the credit history investigation and  
58 background screenings.

476.055. 1. There is hereby established in the state treasury the "Statewide Court  
2 Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts,  
3 contributions, devises, bequests, and grants received relating to automation of judicial record  
4 keeping, and moneys received by the judicial system for the dissemination of information and  
5 sales of publications developed relating to automation of judicial record keeping, shall be  
6 credited to the fund. Moneys credited to this fund may only be used for the purposes set forth  
7 in this section and as appropriated by the general assembly. Any unexpended balance  
8 remaining in the statewide court automation fund at the end of each biennium shall not be  
9 subject to the provisions of section 33.080 requiring the transfer of such unexpended balance  
10 to general revenue; except that, any unexpended balance remaining in the fund on September  
11 1, [2023] 2029, shall be transferred to general revenue.

12       2. The statewide court automation fund shall be administered by a court automation  
13 committee consisting of the following: the chief justice of the supreme court, a judge from  
14 the court of appeals, four circuit judges, four associate circuit judges, four employees of the  
15 circuit court, **two municipal employees who work full time in a municipal division of a**  
16 **circuit court**, the commissioner of administration, two members of the house of  
17 representatives appointed by the speaker of the house, two members of the senate  
18 appointed by the president pro tem of the senate, the executive director of the Missouri office  
19 of prosecution services, the director of the state public defender system, and two members of  
20 the Missouri Bar. The judge members and employee members shall be appointed by the chief  
21 justice. The commissioner of administration shall serve ex officio. The members of the  
22 Missouri Bar shall be appointed by the board of governors of the Missouri Bar. Any member  
23 of the committee may designate another person to serve on the committee in place of the  
24 committee member.

25       3. The committee shall develop and implement a plan for a statewide court  
26 automation system. The committee shall have the authority to hire consultants, review  
27 systems in other jurisdictions and purchase goods and services to administer the provisions of

28 this section. The committee may implement one or more pilot projects in the state for the  
29 purposes of determining the feasibility of developing and implementing such plan. The  
30 members of the committee shall be reimbursed from the court automation fund for their actual  
31 expenses in performing their official duties on the committee.

32 4. Any purchase of computer software or computer hardware that exceeds five  
33 thousand dollars shall be made pursuant to the requirements of the office of administration for  
34 lowest and best bid. Such bids shall be subject to acceptance by the office of administration.  
35 The court automation committee shall determine the specifications for such bids.

36 5. The court automation committee shall not require any circuit court to change any  
37 operating system in such court, unless the committee provides all necessary personnel, funds  
38 and equipment necessary to effectuate the required changes. No judicial circuit or county  
39 may be reimbursed for any costs incurred pursuant to this subsection unless such judicial  
40 circuit or county has the approval of the court automation committee prior to incurring the  
41 specific cost.

42 6. Any court automation system, including any pilot project, shall be implemented,  
43 operated and maintained in accordance with strict standards for the security and privacy of  
44 confidential judicial records. Any person who knowingly releases information from a  
45 confidential judicial record is guilty of a class B misdemeanor. Any person who, knowing  
46 that a judicial record is confidential, uses information from such confidential record for  
47 financial gain is guilty of a class E felony.

48 7. On the first day of February, May, August and November of each year, the court  
49 automation committee shall file a report on the progress of the statewide automation system  
50 with:

- 51 (1) The chair of the house budget committee;  
52 (2) The chair of the senate appropriations committee;  
53 (3) The chair of the house judiciary committee; and  
54 (4) The chair of the senate judiciary committee.

55 8. Section 488.027 shall expire on September 1, ~~[2023]~~ **2029**. The court automation  
56 committee established pursuant to this section may continue to function until completion of  
57 its duties prescribed by this section~~[, but shall complete its duties prior to September 1, 2025.~~

58 ~~9. This section shall expire on September 1, 2025].~~

485.060. 1. Each court reporter for a circuit judge shall receive an annual salary of  
2 twenty-six thousand nine hundred dollars beginning January 1, 1985, until December 31,  
3 1985, and beginning January 1, 1986, an annual salary of thirty thousand dollars.

4 2. Such annual salary shall be modified by any salary adjustment provided by section  
5 476.405.

6           3. Beginning January 1, 2022, the annual salary, as modified under section 476.405,  
7 shall be adjusted upon meeting the minimum number of cumulative years of service as a court  
8 reporter with a circuit court of this state by the following schedule:

9           (1) For each court reporter with zero to five years of service: the annual salary shall  
10 be increased only by any salary adjustment provided by section 476.405;

11           (2) For each court reporter with six to ten years of service: the annual salary shall be  
12 increased by **the whole sum of five and one-quarter percent in addition to the increase**  
13 **provided by subdivision (1) of this subsection;**

14           (3) For each court reporter with eleven to fifteen years of service: the annual salary  
15 shall be increased by **the whole sum of eight and one-quarter percent in addition to the**  
16 **increase provided by subdivision (2) of this subsection;**

17           (4) For each court reporter with sixteen to twenty years of service: the annual salary  
18 shall be increased by **the whole sum of eight and one-half percent in addition to the**  
19 **increase provided by subdivision (3) of this subsection;** or

20           (5) For each court reporter with twenty-one or more years of service: the annual  
21 salary shall be increased by **the whole sum of eight and three-quarters percent in addition to**  
22 **the increase provided by subdivision (4) of this subsection.**

23

24 ~~[A court reporter may receive multiple adjustments under this subsection as his or her~~  
25 ~~cumulative years of service increase, but only one percentage listed in subdivisions (1) to (5)~~  
26 ~~of this subsection shall apply to the annual salary at a time.]~~

27           4. Salaries shall be payable in equal monthly installments on the certification of the  
28 judge of the court or division in whose court the reporter is employed. If paid by the state, the  
29 salaries of such court reporters shall be paid in semimonthly or monthly installments, as  
30 designated by the commissioner of administration.

          494.455. 1. Each county or city not within a county may elect to compensate its  
2 jurors pursuant to subsection 2 of this section except as otherwise provided in subsection 3 of  
3 this section.

4           2. Each grand and petit juror shall receive six dollars per day, for every day he or she  
5 may actually serve as such, and seven cents for every mile he or she may necessarily travel  
6 going from his or her place of residence to the courthouse and returning, to be paid from  
7 funds of the county or a city not within a county. The governing body of each county or a city  
8 not within a county may authorize additional daily compensation and mileage allowance for  
9 jurors, which additional compensation shall be paid from the funds of the county or a city not  
10 within a county. The governing body of each county or a city not within a county may  
11 authorize additional daily compensation and mileage allowance for jurors attending a  
12 coroner's inquest. Jurors may receive the additional compensation and mileage allowance



13 authorized by this subsection only if the governing body of the county or the city not within a  
14 county authorizes the additional compensation. The provisions of this subsection authorizing  
15 additional compensation shall terminate upon the issuance of a mandate by the Missouri  
16 supreme court which results in the state of Missouri being obligated or required to pay any  
17 such additional compensation even if such additional compensation is formally approved or  
18 authorized by the governing body of a county or a city not within a county. Provided that a  
19 county or a city not within a county authorizes daily compensation payable from county or  
20 city funds for jurors who serve in that county pursuant to this subsection in the amount of at  
21 least six dollars per day in addition to the amount required by this subsection, a person shall  
22 receive an additional six dollars per day to be reimbursed by the state of Missouri so that the  
23 total compensation payable shall be at least eighteen dollars, plus mileage for each day that  
24 the person actually serves as a petit juror in a particular case; or for each day that a person  
25 actually serves as a grand juror during a term of a grand jury. The state shall reimburse the  
26 county for six dollars of the additional juror compensation provided by this subsection.

27       3. **(1)** In any county of the first classification without a charter form of government  
28 and with a population of at least two hundred thousand inhabitants, no grand or petit juror  
29 shall receive compensation for the first two days of service, but shall receive fifty dollars per  
30 day for the third day and each subsequent day he or she may actually serve as such, and seven  
31 cents for every mile he or she may necessarily travel going from his or her place of residence  
32 to the courthouse and returning, to be paid from funds of the county.

33       **(2) In any county or city not within a county, upon adoption by the governing**  
34 **body of the county or city not within a county, no grand or petit juror shall receive**  
35 **compensation for the first two days of service, but shall receive fifty dollars per day for**  
36 **the third day and each subsequent day he or she may actually serve as such, and seven**  
37 **cents for every mile he or she may necessarily travel going from his or her place of**  
38 **residence to the courthouse and returning, to be paid from funds of the county; except**  
39 **that, a county commission may authorize compensation to a grand or petit juror for the**  
40 **first two days of service not to exceed ten dollars per day.**

41       4. When each panel of jurors summoned and attending court has completed its  
42 service, the board of jury commissioners shall cause to be submitted to the governing body of  
43 the county or a city not within a county a statement of fees earned by each juror. Within thirty  
44 days of the submission of the statement of fees, the governing body shall cause payment to be  
45 made to those jurors summoned the fees earned during their service as jurors.

509.520. 1. Notwithstanding any provision of law to the contrary, beginning August  
2 28, ~~2009~~ **2023**, pleadings, attachments, ~~or~~ exhibits filed with the court in any case, as well  
3 as any judgments **or orders** issued by the court, **or other records of the court** shall not  
4 include **the following confidential and personal identifying information:**

5 (1) The full Social Security number of any party or any child ~~[who is the subject to an~~  
6 ~~order of custody or support]~~;

7 (2) The full credit card number ~~[or other]~~, financial **institution** account number,  
8 **personal identification number, or password used to secure an account** of any party;

9 (3) **The full motor vehicle operator license number;**

10 (4) **Victim information, including the name, address, and other contact**  
11 **information of the victim;**

12 (5) **Witness information, including the name, address, and other contact**  
13 **information of the witness;**

14 (6) **Any other full state identification number;**

15 (7) **The full name, address, and date of birth of a minor; or**

16 (8) **The full date of birth of any party; however, the year of birth shall be made**  
17 **available.**

18 2. **The information provided under subsection 1 of this section shall be provided**  
19 **in a confidential information filing sheet contemporaneously filed with the court or**  
20 **entered by the court, which shall not be subject to public inspection or availability.**

21 3. **Nothing in this section shall preclude an entity including, but not limited to, a**  
22 **financial institution, insurer, insurance support organization, or consumer reporting**  
23 **agency that is otherwise permitted by law to access state court records from using a**  
24 **person's unique identifying information to match such information contained in a court**  
25 **record to validate that person's record.**

26 4. **The Missouri supreme court shall promulgate rules to administer this section.**

27 5. **Contemporaneously with the filing of every petition for dissolution of marriage,**  
28 **legal separation, motion for modification, action to establish paternity, and petition or motion**  
29 **for support or custody of a minor child, the filing party shall file a confidential case filing**  
30 **sheet with the court which shall not be subject to public inspection and which provides:**

31 (1) **The name and address of the current employer and the Social Security number of**  
32 **the petitioner or movant, if a person;**

33 (2) **If known to the petitioner or movant, the name and address of the current**  
34 **employer and the Social Security number of the respondent; and**

35 (3) **The names, dates of birth, and Social Security numbers of any children subject to**  
36 **the action.**

37 ~~[3-]~~ 6. **Contemporaneously with the filing of every responsive pleading petition for**  
38 **dissolution of marriage, legal separation, motion for modification, action to establish**  
39 **paternity, and petition or motion for support or custody of a minor child, the responding party**  
40 **shall file a confidential case filing sheet with the court which shall not be subject to public**  
41 **inspection and which provides:**

42 (1) The name and address of the current employer and the Social Security number of  
43 the responding party, if a person;

44 (2) If known to the responding party, the name and address of the current employer  
45 and the Social Security number of the petitioner or movant; and

46 (3) The names, dates of birth, and Social Security numbers of any children subject to  
47 the action.

48 ~~[4-]~~ 7. The full Social Security number of any party or child subject to an order of  
49 custody or support shall be retained by the court on the confidential case filing sheet or other  
50 confidential record maintained in conjunction with the administration of the case. The full  
51 credit card number or other financial account number of any party may be retained by the  
52 court on a confidential record if it is necessary to maintain the number in conjunction with the  
53 administration of the case.

54 ~~[5-]~~ 8. Any document described in subsection 1 of this section shall, in lieu of the full  
55 number, include only the last four digits of any such number.

56 ~~[6-]~~ 9. Except as provided in section 452.430, the clerk shall not be required to redact  
57 any document described in subsection 1 of this section issued or filed before August 28, 2009,  
58 prior to releasing the document to the public.

59 ~~[7-]~~ 10. For good cause shown, the court may release information contained on the  
60 confidential case filing sheet; except that, any state agency acting under authority of chapter  
61 454 shall have access to information contained herein without court order in carrying out their  
62 official duty.

2 **510.500. Sections 510.500 to 510.521 shall be known and may be cited as the**  
3 **"Uniform Interstate Depositions and Discovery Act".**

4 **510.503. As used in sections 510.500 to 510.521, the following terms mean:**

5 (1) **"Foreign jurisdiction", a state other than this state;**

6 (2) **"Foreign subpoena", a subpoena issued under authority of a court of record**  
7 **of a foreign jurisdiction;**

8 (3) **"Person", an individual, corporation, business trust, estate, trust,**  
9 **partnership, limited liability company, association, joint venture, public corporation,**  
10 **government or political subdivision, agency or instrumentality, or any other legal or**  
11 **commercial entity;**

12 (4) **"State", a state of the United States, the District of Columbia, Puerto Rico,**  
13 **the United States Virgin Islands, a federally recognized Indian tribe, or any territory or**  
14 **insular possession subject to the jurisdiction of the United States;**

15 (5) **"Subpoena", a document, however denominated, issued under authority of a**  
16 **court of record requiring a person to:**

17 (a) **Attend and give testimony at a deposition;**

15           (b) Produce and permit inspection and copying of designated books, documents,  
16 records, electronically stored information, or tangible items in the possession, custody,  
17 or control of the person; or

18           (c) Permit inspection of premises under the control of the person.

**510.506. 1.** To request issuance of a subpoena under this section, a party shall  
2 submit a foreign subpoena to a clerk of court in the county in which discovery is sought  
3 to be conducted in this state. A request for the issuance of a subpoena under sections  
4 **510.500 to 510.521** shall not constitute an appearance in the courts of this state.

5           **2.** If a party submits a foreign subpoena to a clerk of court in this state, the clerk,  
6 in accordance with such court's procedure, shall promptly issue a subpoena for service  
7 upon the person to which the foreign subpoena is directed.

8           **3.** A subpoena under subsection 2 of this section shall:

9           **(1)** Incorporate the terms used in the foreign subpoena; and

10           **(2)** Contain or be accompanied by the names, addresses, and telephone numbers  
11 of all counsel of record in the proceeding to which the subpoena relates and of any party  
12 not represented by counsel.

**510.509.** A subpoena issued by a clerk of court under section **510.506** shall be  
2 served in compliance with the Missouri supreme court rules of civil procedure and laws  
3 of this state.

**510.512.** The Missouri supreme court rules of civil procedure and laws of this  
2 state, and any amendments thereto, apply to subpoenas issued under section **510.506**.

**510.515.** An application to the court for a protective order or to enforce, quash,  
2 or modify a subpoena issued by a clerk of court under section **510.506** shall comply with  
3 the Missouri supreme court rules of civil procedure and statutes of this state and be  
4 submitted to the court in the county in which discovery is to be conducted.

**510.518.** In applying and construing sections **510.500 to 510.521**, consideration  
2 shall be given to the need to promote uniformity of the law with respect to its subject  
3 matter among states that enact it.

**510.521.** Sections **510.500 to 510.521** apply to requests for discovery in cases  
2 pending on August 28, 2023.

**544.453.** Notwithstanding any provision of the law or court rule to the contrary,  
2 a judge or judicial officer, when setting bail or conditions of release in all courts in  
3 Missouri for any offense charged, shall consider, in addition to any factor required by  
4 law, whether:

5           **(1)** A defendant poses a danger to a victim of a crime, the community, any  
6 witness to the crime, or to any other person;

7           **(2)** A defendant is a flight risk;

8           **(3) A defendant has committed a misdemeanor offense involving a crime of**  
9 **violence, sexual offense, or felony offense in this state or any other state in the last five**  
10 **years; and**

11           **(4) A defendant has failed to appear in court as a required condition of**  
12 **probation or parole for a misdemeanor involving a crime of violence or felony or a**  
13 **sexual offense within the last three years.**

575.095. 1. A person commits the offense of tampering with a judicial officer if, with  
2 the purpose to harass, intimidate or influence a judicial officer in the performance of such  
3 officer's official duties, such person:

4           (1) Threatens or causes harm to such judicial officer or members of such judicial  
5 officer's family;

6           (2) Uses force, threats, or deception against or toward such judicial officer or  
7 members of such judicial officer's family;

8           (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such  
9 judicial officer or such judicial officer's family;

10           (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer  
11 or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;

12           **(5) Disseminates through any means, including by posting on the internet, the**  
13 **judicial officer's or the judicial officer's family's personal information. For purposes of**  
14 **this section, "personal information" includes a home address, home or mobile telephone**  
15 **number, personal email address, Social Security number, federal tax identification**  
16 **number, checking and savings account numbers, credit card numbers, marital status,**  
17 **and identity of a child under eighteen years of age.**

18           2. A judicial officer for purposes of this section shall be a judge **or commissioner of**  
19 **a state or federal court**, arbitrator, special master, juvenile officer, deputy juvenile officer,  
20 state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, ~~juvenile~~  
21 ~~court commissioner,~~ state probation or parole officer, or referee.

22           3. A judicial officer's family for purposes of this section shall be:

23           (1) Such officer's spouse; or

24           (2) Such officer or such officer's spouse's ancestor or descendant by blood or  
25 adoption; or

26           (3) Such officer's stepchild, while the marriage creating that relationship exists.

27           4. The offense of tampering with a judicial officer is a class D felony.

28           **5. If a violation of this section results in death or bodily injury to a judicial**  
29 **officer or a member of the judicial officer's family, the offense is a class B felony.**

600.042. 1. The director shall:

2 (1) Direct and supervise the work of the deputy directors and other state public  
3 defender office personnel appointed pursuant to this chapter; and he or she and the deputy  
4 director or directors may participate in the trial and appeal of criminal actions at the request of  
5 the defender;

6 (2) Submit to the commission, between August fifteenth and September fifteenth of  
7 each year, a report which shall include all pertinent data on the operation of the state public  
8 defender system, the costs, projected needs, and recommendations for statutory changes.  
9 Prior to October fifteenth of each year, the commission shall submit such report along with  
10 such recommendations, comments, conclusions, or other pertinent information it chooses to  
11 make to the chief justice, the governor, and the general assembly. Such reports shall be a  
12 public record, shall be maintained in the office of the state public defender, and shall be  
13 otherwise distributed as the commission shall direct;

14 (3) With the approval of the commission, establish such divisions, facilities and  
15 offices and select such professional, technical and other personnel, including investigators, as  
16 he deems reasonably necessary for the efficient operation and discharge of the duties of the  
17 state public defender system under this chapter;

18 (4) Administer and coordinate the operations of defender services and be responsible  
19 for the overall supervision of all personnel, offices, divisions and facilities of the state public  
20 defender system, except that the director shall have no authority to direct or control the legal  
21 defense provided by a defender to any person served by the state public defender system;

22 (5) Develop programs and administer activities to achieve the purposes of this  
23 chapter;

24 (6) Keep and maintain proper financial records with respect to the provision of all  
25 public defender services for use in the calculating of direct and indirect costs of any or all  
26 aspects of the operation of the state public defender system;

27 (7) Supervise the training of all public defenders and other personnel and establish  
28 such training courses as shall be appropriate;

29 (8) With approval of the commission, promulgate necessary rules, regulations and  
30 instructions consistent with this chapter defining the organization of the state public defender  
31 system and the responsibilities of division directors, district defenders, deputy district  
32 defenders, assistant public defenders and other personnel;

33 (9) With the approval of the commission, apply for and accept on behalf of the public  
34 defender system any funds which may be offered or which may become available from  
35 government grants, private gifts, donations or bequests or from any other source. Such  
36 moneys shall be deposited in the ~~[state general revenue]~~ **public defender-federal and other**  
37 fund;

38           (10) Contract for legal services with private attorneys on a case-by-case basis and  
39 with assigned counsel as the commission deems necessary considering the needs of the area,  
40 for fees approved and established by the commission;

41           (11) With the approval and on behalf of the commission, contract with private  
42 attorneys for the collection and enforcement of liens and other judgments owed to the state for  
43 services rendered by the state public defender system.

44           2. No rule or portion of a rule promulgated under the authority of this chapter shall  
45 become effective unless it has been promulgated pursuant to the provisions of section  
46 536.024.

47           3. The director and defenders shall, within guidelines as established by the  
48 commission and as set forth in subsection 4 of this section, accept requests for legal services  
49 from eligible persons entitled to counsel under this chapter or otherwise so entitled under the  
50 constitution or laws of the United States or of the state of Missouri and provide such persons  
51 with legal services when, in the discretion of the director or the defenders, such provision of  
52 legal services is appropriate.

53           4. The director and defenders shall provide legal services to an eligible person:

54           (1) Who is detained or charged with a felony, including appeals from a conviction in  
55 such a case;

56           (2) Who is detained or charged with a misdemeanor which will probably result in  
57 confinement in the county jail upon conviction, including appeals from a conviction in such a  
58 case, unless the prosecuting or circuit attorney has waived a jail sentence;

59           (3) Who is charged with a violation of probation when it has been determined by a  
60 judge that the appointment of counsel is necessary to protect the person's due process rights  
61 under section 559.036;

62           (4) Who has been taken into custody pursuant to section 632.489, including appeals  
63 from a determination that the person is a sexually violent predator and petitions for release,  
64 notwithstanding any provisions of law to the contrary;

65           (5) For whom the federal constitution or the state constitution requires the  
66 appointment of counsel; and

67           (6) Who is charged in a case in which he or she faces a loss or deprivation of liberty,  
68 and in which the federal or the state constitution or any law of this state requires the  
69 appointment of counsel; however, the director and the defenders shall not be required to  
70 provide legal services to persons charged with violations of county or municipal ordinances,  
71 or misdemeanor offenses except as provided in this section.

72           5. The director may:

73           (1) Delegate the legal representation of an eligible person to any member of the state  
74 bar of Missouri;

75           (2) Designate persons as representatives of the director for the purpose of making  
76 indigency determinations and assigning counsel.

77           **6. There is hereby created within the state treasury the "Public Defender-**  
78 **Federal and Other Fund", which shall be funded annually by appropriation and which**  
79 **shall contain moneys received from any other funds from government grants, private**  
80 **gifts, donations, bequests, or any other source to be used for the purpose of funding local**  
81 **offices of the office of state public defender. The state treasurer shall be the custodian of**  
82 **the fund and shall approve disbursements from the fund upon the request of the**  
83 **director of the office of state public defender. Any interest or other earnings with**  
84 **respect to amounts transferred to the fund shall be credited to the fund.**  
85 **Notwithstanding the provisions of section 33.080 to the contrary, any unexpended**  
86 **balances in the fund at the end of any fiscal year shall not be transferred to the general**  
87 **revenue fund or any other fund.**

✓